

REMARKS/ARGUMENTS

Claim Objections

The misnumbered claims 4-44 have been amended to be renumbered 5-45 respectively. The claim dependencies have also been amended in conformance with the renumbering.

Drawings

The reference character "52b" that referred to the configuration parameters has been changed to "50b" and the specification amended accordingly.

Claim Rejections under 35 U.S.C. 112

Claims 9, 24, 39 have been amended to change the limitation "the removable storage" to "a removable storage".

Claim Rejections under 35 U.S.C. 103

Applicants traverse the rejection of claims 1-45.

The Examiner has rejected claims 1-3, 8, 16-18, 23, 31-33, and 38 under 35 U.S.C 103(a) as being unpatentable over Arrouye (US 6,256,635), in view of Hunnicutt (US 5,889,952). Claims 4-5, 19-20 and 34-35 have been rejected as being unpatentable over Arrouye, in view of Hunnicutt, and further in view of Nishiyama (US 5,778,365). Claims 6-7 and 36-37 have been rejected as being unpatentable over Arrouye in view of Hunnicutt and further in view of Bourke (US 6,449,642). Claims 9-10, 24-25, 39-40 have been rejected as being unpatentable over Arrouye, in view of Hunnicutt, in view of Bourke, and further in view of Piazza (US 6,026,438). Claims 11, 13-15, 26, 28-30, 41, and 43-45 have been rejected as being unpatentable over Arrouye in view of Hunnicutt, and in view of Piazza. Claims 12 and 27 have been rejected as being unpatentable over Arrouye, in view of Hunnicutt, in view of Piazza, and in view of Bourke. Claims 21-22 have been rejected as being unpatentable over Arrouye, in view of

Hunnicut, in view of Nishiyama, and further in view of Bourke. Claim 42 is rejected as being unpatentable over Arrouye in view of Hunnicutt and in view of Bourke.

Amended Independent Claims 1, 16, 31

Amended independent claims 1, 16, 31 require configuring a client computer connected to a network, wherein a remote computer is capable of communicating with the client computer over the network. and comprises:

storing sets of configuration parameters in a non-volatile storage unit, wherein the sets of configuration parameters instruct at least one program how to initialize operational parameters and load programs into the client computer memory during a power on; and

for each set of configuration parameters, storing a token in the non-volatile storage unit indicating access rights to the set of configuration parameters, wherein the token specifies whether management entities running on the remote computer and client computer can access the set of configuration parameters for that token, and wherein if the sets of configuration parameters are overlapping then a first management entity running on the remote computer and a second management entity running on the client computer can configure a same set of configuration parameters.

Applicants have amended the independent claims to include the limitation that if the sets of configuration parameters are overlapping then a first management entity running on the remote computer and a second management entity running on the client computer can configure a same set of configuration parameters. The added requirement may be found in at least page 6, lines 16-18 of the Application.

Nowhere does the cited Arrouye (col. 7, lines 43-47, col. 8, lines 35-47, col. 1: lines 54-57, col 7, lines 43-62) or the cited Hunnicutt (col. 5: lines 26-50, and figs 3, 40) teach or suggest the claim requirement of storing a token for each set of configuration parameters, wherein the token specifies whether management entities running on the remote computer and client computer can access the set of configuration parameters for that token, and wherein if the sets of

configuration parameters are overlapping then a first management entity running on the remote computer and a second management entity running on the client computer can configure a same set of configuration parameters.

The cited Arrouye discusses configuring a computer according to certain parameters by users and administrators by programming configuration settings in configuration files. The cited Hunnicutt discusses the use of access rights. In the cited Hunnicutt a user having a token is allowed to access a file. An access control list associated with a file indicates which users have what access rights with respect to the file.. Access control lists have access control entries. Each access control entry has a user-token field and a permitted access file. The cited Hunnicutt discusses that an access control entry defines the permitted access to a file by a user having a token (Hunnicutt col. 44: lines 63-65). Therefore the cited Hunnicutt uses tokens to control access to files, whereas the claims require the token to indicate access rights to the configuration parameters. The configuration parameters required by the claims are different from the files discussed in the cited Hunnicutt. The Examiner modifies the teachings of the cited Hunnicutt by using the tokens of the cited Hunnicutt on the configuration files of the cited Arrouye. The configuration files of the cited Arrouye are different from the configuration parameters of the claim requirements. Therefore even if the tokens of the cited Hunnicutt are modified to be used with the configuration files of the cited Arrouye that would still not teach or suggest the claim requirements.

Even if for the sake of arguments the configuration files of the cited Arrouye taught or suggested the configuration parameters of the claim requirements, the proposed modification of the tokens of the cited Hunnicutt would be an improper modification. According to the Manual of Patent Examining Procedure (MPEP) §2143.01 “fact that references can be combined or modified is not sufficient to establish prima facie obviousness” and “the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination..” Neither the cited Hunnicutt nor the cited Arrouye suggest the desirability of arriving at the claimed combination. The Examiner’s

modifications to the tokens of the cited Hunnicutt for use with the configuration files of Arrouye are improper. The Examiner merely mentions the motivation for the combination by mentioning that the motivation is for controlling entities who have access to change parameters to increase security and based on this motivation the claimed combination would be obvious to one of ordinary skill in the art. The Examiner's motivation is using hindsight in arriving at the claimed combination. Even otherwise, there is no reason to suggest that using token in the configuration files of Arrouye would increase security. Allowing many entities to change the configuration files of Arrouye via tokens may have the opposite effect of providing less security.

Additionally using the tokens discussed in the cited Hunnicutt will render the system of the cited Arrouye inoperable. The cited Arrouye discusses in col. 8, lines 3-5 that the database maintains backward compatibility with prior art file formats. Using additional tokens from the cited Hunnicutt could destroy backward compatibility and render the system of the cited Arrouye inoperable. Additionally, in the system of the cited Arrouye (Arrouye: col. 7, lines 64-66) it is mentioned that the databases may be viewed and read by multiple readers and may be modified by one user or writer concurrently. The tokens of the cited Hunnicutt are for use in a cache, and concurrent writes to a cache can cause errors. Therefore the tokens of the cited Hunnicutt are unsuitable for the system of the cited Arrouye as tokens for accessing a cache will not ensure concurrent writes as required by the cited Arrouye and would render the system of the cited Arrouye inoperable.

Additionally, nowhere does the cited Arrouye or the cited Hunnicutt teach or suggest the added claim limitation that if the sets of configuration parameters are overlapping then a first management entity running on the remote computer and a second management entity running on the client computer can configure a same set of configuration parameters.

For the above reasons, claims 1, 16, and 31 are patentable over the cited art.

Claims 2-15, 17-30, 32-45

The Examiner has also rejected pending claims 2-15, 17-20, 31-45 that depend on the pending independent claims 1, 16, and 31 respectively. Applicants submit that these claims are patentable over the cited art because they depend from claims 1, 16, and 31 respectively which are patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 2-15, 17-20, 31-45 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Claims 2, 17, 32

Claims 2, 17, 22 depend on claims 1, 16, 31 respectively and require that each token specifies at least one management entity, wherein only the management entity specified in the token has access rights to the set of configuration parameters associated with that token, wherein at least one token specifies one management entity at the client computer and at least one other token specifies one management entity at the remote computer.

The cited Hunnicutt discusses tokens used by users to access files. The Examiner modifies the tokens discussed in the cited Hunnicutt to be used in the client and remote computers of the cited Arrouye to arrive at the claimed combination. While there is no suggestion or motivation in the cited Hunnicutt or the cited Arrouye for the claimed combination, the Examiner provides that one of ordinary skill in the art would have realized that entities at a client computer and remote computer for configuration purposes would need tokens for access to configuration files. The motivation is improper and uses hindsight. The tokens of the cited Hunnicutt are designed for use on a device used by multiple clients (Hunnicutt: FIG. 1). To modify this tokens to be to arrive at the claim requirement that at least one token specifies one management entity at the client computer and at least one other token specifies one management entity at the remote computer is not obvious. A person of ordinary skill in the art would implement the token based system of the cited Hunnicutt twice - once for the client computer

and separately for the remote computer. There is no proper motivation to arrive at the combination as required by the claims, where at least one token specifies one management entity at the client computer and at least one other token specifies one management entity at the remote computer.

For the above reasons, claims 2, 17, 32 are patentable.

Claims 4, 19, 34

Claims 4, 19, 34 depend on claims 1, 16, 31 respectively and further require that the client computer and remote computer are capable of modifying the access rights specified in the token if the access rights permit the client computer or remote computer requesting the modification write access to the set of configuration parameters, further comprising:

storing modifications in the non-volatile storage unit from the client computer or remote computer to the access rights specified in the token for one set of configuration parameters, wherein the modifications are made to the token if the client computer or remote computer initiating the modifications is indicated in the access writes as having write access.

The cited Nishiyama (col. 1: lines 21-31) discusses access rights for writing to a file. Nowhere does the cited Nishiyama or the cited Arrouye or the cited Hunnicutt provide any suggestion or motivation that such access rights for writing is to be used for modifying tokens. The claims require that modifications are made to the token if the client computer or remote computer initiating the modifications is indicated in the access writes as having write access.

The motivation of the Examiner that no unauthorized entity can change access rights on a parameter is an inadequate motivation for arriving at the claimed combination and is using hindsight. Additionally using the same write access methods described in the cited Nishiyama cannot be used for both the system of the Nishiyama and the cited Hunnicutt. One of the systems of the cited Nishiyama or the cited Hunnicutt would be rendered inoperable if the write access method of the cited Nishiyama was used in both.

For the above reasons, claims 4, 19, 34 are patentable.

Dependent Claims 7, 37

Claims 7, 37 depend on claims 6, and 36 respectively and further require:

launching a setup program from the removable storage unit during a power on when the client computer has not previously been configured;

receiving settings for at least one set of configuration parameters via the setup program;
and

storing the received settings in the non-volatile storage unit, wherein the configuration program is launched to provide an interface to allow the user to set configuration parameters for other sets of configuration parameters.

Neither the cited Arrouye, nor the cite Hunnicutt, nor the cited Bourke teach or suggest the claim requirement storing the received settings in the non-volatile storage unit, wherein the configuration program is launched to provide an interface to allow the user to set configuration parameters for other sets of configuration parameters.

The configuration program of the cited Arrouye is different from the setup program of the claims requirements, because the setup program of the claim requirements additionally run when the client computer has not been previously configured and during power on. Neither the cited Hunnicutt nor the cited Bourke teach the setup program of the claim requirement either.

For the above reasons claims 7, and 37 are patentable.

Claim 22

Claim 22 depends on claim 21 and further requires launching a setup program from the removable storage unit during a power on when the client computer has not previously been configured;

receiving settings for at least one set of configuration parameters via the setup program;
and

storing the received settings in the non-volatile storage unit, wherein the configuration program is launched to provide an interface to allow the user to set configuration parameters for other sets of configuration parameters.

Claim 22 is patentable for reasons similar to the patentability of claims 7, and 37. Additionally nowhere does the cited Nishiyama teach or suggest the claim requirement of storing the received settings in the non-volatile storage unit, wherein the configuration program is launched to provide an interface to allow the user to set configuration parameters for other sets of configuration parameters.

For the above reasons claim 22 is patentable.

Claims 9, 24, 39

Claims 9, 24, 39 depend on claims 1, 16, 21 and further require:

launching a setup program from a removable storage unit during a power on when the client computer has not previously been configured;

receiving settings for network configuration parameters indicating a network address for the client computer through the setup program;

receiving operating system configuration parameters for an operating system kernel to load into the client computer memory through the setup program; and

storing the network and operating system configuration parameters received through the setup program in the non-volatile storage unit.

Nowhere does the cited Arrouye, Hunnicutt, Bourke or Piazza teach or suggest the claim limitation of receiving operating system configuration parameters for an operating system kernel to load into the client computer memory through the setup program. The program for configuring a computer in the cited Piazza is different from the setup program of the claim requirements. Should the method of the cited Piazza be applied to the systems of Arrouye, Hunnicutt, or Bourke the systems would reboot and become inoperable. Therefore, the cited Piazza cannot be combined with the cited Arrouye, Hunnicutt and Bourke to arrive at the claim requirements.

Claims 13, 28, and 43

Claims 13, 28, and 39 depend on claims 11, 26, and 41 respectively and further require that the operating system configuration parameters indicate a remote server on the network including the operating system kernel, further require during initialization:

downloading the operating system kernel from the remote server indicated in the operating system configuration parameters; and

loading the downloaded operating system kernel into the client computer.

The Examiner mentions that the cited Piazza teaches the further claim requirements of the claims 28, 38, and 43 beyond those of claims 11, 26, and 41 but does not indicate how the teachings of the cited Piazza may be combined with the cited Arrouye and Hunnicutt to arrive at the claim requirements. Applicants submit that the teachings of the cited Piazza, Arrouye and Hunnicutt cannot be combined. The cited Piazza teaches program installation in a networked environment. There is no motivation in either the cited Piazza or the cited Arrouye or the cited Hunnicutt to combine their teachings to arrive at the claim requirements.

New claims 46-51

The requirements of new claims 46-51 may be found in at least page 11, lines 23- page 12, line 2; and in page 6: lines 19-25 of the Application.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable over the art of record. Should any additional fees beyond those indicated be required, please charge Deposit Account No. 50-0585.

The attorney/agent invites the Examiner to contact him at (310) 557-2292 if the Examiner believes such contact would advance the prosecution of the case.

Dated: August 20, 2004

By: Rabindranath Dutta

Rabindranath Dutta
Registration No. 51,010

Please direct all correspondences to:

Amdt. dated August 20, 2004
Reply to Office action of 05/20/2004

Serial No. 09/764,694
Docket No. ROC920000136US1
Firm No. 0021.0012

Rabindranath Dutta
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984